



STATE OF WISCONSIN Assembly Journal

Ninety-Sixth Regular Session

MONDAY, January 5, 2004

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 422** offered by Representative Musser.

Assembly amendment 1 to **Assembly Bill 470** offered by Representative Wieckert.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 03–110

Relating to the administration of the military funeral honors program.

Submitted by Department of Veterans Affairs.
Report received from Agency, December 19, 2003.
To committee on **Veterans and Military Affairs**.
Referred on December 29, 2003.

Assembly Clearinghouse Rule 03–113

Relating to the joint effort marketing program.
Submitted by Department of Tourism.
Report received from Agency, December 30, 2003.
To committee on **Tourism**.
Referred on January 5, 2004.

Assembly Clearinghouse Rule 03–114

Relating to oversize and overweight permits for vehicles and loads.
Submitted by Department of Transportation.
Report received from Agency, December 23, 2003.
To committee on **Transportation**.
Referred on January 5, 2004.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Bill 711

Relating to: the licensing of motor vehicle salvage dealers.

By Representatives Ainsworth, Hebl, Boyle, Hundertmark, Krawczyk, F. Lasee, Miller, Montgomery, Olsen, Owens, Seratti, Stone, Towns, Van Roy and Vrakas; cosponsored by Senators Cowles, Breske, Kedzie and Schultz.

To committee on **Small Business**.

Assembly Bill 712

Relating to: creating a Manufacturing Competitiveness Grant Program and a Manufacturing Competitiveness Board, providing an exemption from emergency rule procedures, granting rule-making authority, and making appropriations.

By Representatives Shilling, Taylor, Turner, Black, Staskunas, J. Lehman, Berceau, Albers, Vruwink and Plouff; cosponsored by Senators Hansen, Wirsch, Lassa, Erpenbach and Roessler.

To committee on **Economic Development**.

Assembly Bill 713

Relating to: probation for certain offenses that are related to operating a motor vehicle while intoxicated, and good-time credit for time served in jail as a condition of probation.

By Representatives Albers, Wieckert, Bies, Hines, F. Lasee, J. Lehman, Owens and Townsend.
To committee on **Criminal Justice**.

Assembly Bill 714

Relating to: loss of use of rental motor vehicles.
By Representatives Montgomery, Weber, Ladwig, Hundertmark, Musser, Van Roy, Friske, Vrakas and Seratti; cosponsored by Senators Schultz, Reynolds and Kanavas.
To committee on **Insurance**.

Assembly Bill 715

Relating to: ordinances in certain counties regarding drug paraphernalia and the possession of marijuana.

By Representatives Honadel, Stone, Taylor, Ladwig, Vrakas, Pettis, Ott, Hines and Cullen; cosponsored by Senators Darling, Lazich and Coggs.
To committee on **Criminal Justice**.

Assembly Bill 716

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin State Building Trades Negotiating Committee, AFL–CIO, and its appropriate affiliated locals, for the 2003–05 biennium, covering employees in the building trades crafts collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.

To committee on **Rules**.

Assembly Bill 717

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Milwaukee Graduate Assistants Association, AFT/WFT, Local 2169, AFL-CIO, for the 2003-05 biennium, covering employees in the program, project, and teaching assistants of the University of Wisconsin-Milwaukee collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.
To committee on **Rules**.

Assembly Bill 718

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Association of State Prosecutors for the 2003-05 biennium, covering employees in the assistant district attorneys collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.
To committee on **Rules**.

Assembly Bill 719

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Professional Employees Council, WFT/AFT, AFL-CIO, for the 2003-05 biennium, covering employees in the professional fiscal and staff services collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.
To committee on **Rules**.

Assembly Bill 720

Relating to: ratification of the agreement negotiated between the state of Wisconsin and the Wisconsin Physicians and Dentists Association, for the 2003-05 biennium, covering employees in the professional patient treatment collective bargaining unit, and authorizing an expenditure of funds.

By joint committee on Employment Relations.
To committee on **Rules**.

Assembly Bill 721

Relating to: state employee travel and expense reimbursement; supplemental credits for the purchase of health insurance for dependents of state employees who die while employed by the state and state employees who are laid off and their surviving insured dependents; and use of earned annual leave under the state civil service system and granting an additional paid personal holiday for nonrepresented state employees.

By joint committee on Employment Relations.
To committee on **Rules**.

Assembly Bill 722

Relating to: tax credits under the Development Zone and Enterprise Development Zone programs and limits on the total number of authorized enterprise development zones.

By Representatives Vruwink, Taylor, Hebl, Richards, Turner, Schooff, Miller, Plouff, Berceau, Molepske,

Pope-Roberts, Zepnick, J. Lehman and Gronemus; cosponsored by Senators Plale, Schultz and Lassa.

To committee on **Ways and Means**.

Assembly Bill 723

Relating to: transportation of certain private school pupils.

By Representatives Staskunas, Plouff, Krug, Ladwig, Musser, Jeskewitz, Ainsworth, J. Lehman and Gronemus; cosponsored by Senator Plale.

To committee on **Education**.

Assembly Bill 724

Relating to: child safety restraint systems, seating positions, and safety belt use requirements in motor vehicles, creating a Child Safety Restraint System Program, granting rule-making authority, making an appropriation, and providing a penalty.

By Representatives Petrowski, Wasserman, Berceau, Bies, Kreibich, McCormick, Molepske, Albers, J. Lehman, Gunderson, Suder, Freese, Kerkman, Shilling, Sinicki and Van Roy; cosponsored by Senators Roessler, Lazich, Robson, Risser and Wirch.

To committee on **Highway Safety**.

Assembly Bill 725

Relating to: eliminating various school district and Department of Public Instruction requirements.

By Representatives Olsen, Towns, Bies, Gielow, Gunderson, Kestell, Kreibich, J. Lehman, M. Lehman, Musser, Petrowski, Rhoades and J. Wood; cosponsored by Senators Welch and Brown.

To committee on **Education**.

COMMITTEE REPORTS

The committee on **Colleges and Universities** reports and recommends:

Assembly Bill 403

Relating to: regulating athlete agents, granting rule-making authority, making an appropriation, and providing penalties.

Assembly Amendment 1 adoption:

Ayes: 12 - Representatives Kreibich, Gottlieb, Underheim, Nass, Jeskewitz, Krawczyk, Towns, Shilling, Pohan, Balow, Black and Schneider.

Noes: 0.

Passage as amended:

Ayes: 12 - Representatives Kreibich, Gottlieb, Underheim, Nass, Jeskewitz, Krawczyk, Towns, Shilling, Pohan, Balow, Black and Schneider.

Noes: 0.

To joint committee on **Finance**.

Assembly Bill 543

Relating to: notice of public meetings held by certain bodies within the University of Wisconsin System.

Assembly Substitute Amendment 1 adoption:

Ayes: 12 – Representatives Kreibich, Gottlieb, Underheim, Nass, Jeskewitz, Krawczyk, Towns, Shilling, Pocan, Balow, Black and Schneider.

Noes: 0.

Passage as amended:

Ayes: 12 – Representatives Kreibich, Gottlieb, Underheim, Nass, Jeskewitz, Krawczyk, Towns, Shilling, Pocan, Balow, Black and Schneider.

Noes: 0.

To committee on **Rules**.

ROB KREIBICH
Chairperson
Committee on Colleges and Universities

The committee on **Transportation** reports and recommends:

Assembly Bill 32

Relating to: designating and marking STH 122 as the Harriet Tubman Memorial Highway.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Ainsworth, Petrowski, Ott, Hahn, Friske, McCormick, Gottlieb, Van Roy, Honadel, Vruwink and Zepnick.

Noes: 4 – Representatives Steinbrink, Staskunas, Gronemus and Hebl.

Passage as amended:

Ayes: 9 – Representatives Ainsworth, Petrowski, Ott, Hahn, Friske, McCormick, Gottlieb, Van Roy and Honadel.

Noes: 6 – Representatives Steinbrink, Vruwink, Staskunas, Gronemus, Hebl and Zepnick.

To committee on **Rules**.

Assembly Bill 589

Relating to: the immobilization, impoundment, and disposal of unregistered motor vehicles.

Assembly Amendment 1 adoption:

Ayes: 15 – Representatives Ainsworth, Petrowski, Ott, Hahn, Friske, McCormick, Gottlieb, Van Roy, Honadel, Steinbrink, Vruwink, Staskunas, Gronemus, Hebl and Zepnick.

Noes: 0.

Passage as amended:

Ayes: 15 – Representatives Ainsworth, Petrowski, Ott, Hahn, Friske, McCormick, Gottlieb, Van Roy, Honadel, Steinbrink, Vruwink, Staskunas, Gronemus, Hebl and Zepnick.

Noes: 0.

To committee on **Rules**.

Assembly Bill 615

Relating to: operating certain vehicles with a prohibited blood alcohol concentration.

Assembly Amendment 1 adoption:

Ayes: 11 – Representatives Ainsworth, Petrowski, Ott, Hahn, Friske, McCormick, Van Roy, Honadel, Vruwink, Gronemus and Hebl.

Noes: 4 – Representatives Gottlieb, Steinbrink, Staskunas and Zepnick.

Passage as amended:

Ayes: 11 – Representatives Ainsworth, Petrowski, Ott, Hahn, Friske, McCormick, Van Roy, Honadel, Vruwink, Gronemus and Hebl.

Noes: 4 – Representatives Gottlieb, Steinbrink, Staskunas and Zepnick.

To committee on **Rules**.

JOHN AINSWORTH
Chairperson
Committee on Transportation

The committee on **Urban and Local Affairs** reports and recommends:

Assembly Bill 556

Relating to: regulating the resale of tickets to entertainment or sporting events.

Assembly Amendment 1 adoption:

Ayes: 6 – Representatives Gunderson, LeMahieu, M. Lehman, Lothian, Gottlieb and Berceau.

Noes: 0.

Passage as amended:

Ayes: 6 – Representatives Gunderson, LeMahieu, M. Lehman, Lothian, Gottlieb and Berceau.

Noes: 0.

To committee on **Rules**.

Assembly Bill 619

Relating to: dissolution of the Racine County children with disabilities education board.

Passage:

Ayes: 6 – Representatives Gunderson, LeMahieu, M. Lehman, Lothian, Gottlieb and Berceau.

Noes: 0.

To committee on **Rules**.

SCOTT GUNDERSON
Chairperson
Committee on Urban and Local Affairs

MESSAGE FROM THE SENATE

By Donna J. Doyle, Assistant Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Amended and concurred in as amended:

Assembly Bill 120 (Senate amendment 1 adopted)

ACTION ON THE SENATE MESSAGE

Assembly Bill 120

Relating to: notice regarding ineligibility to vote.

By Representatives Freese, Gunderson, M. Lehman, Bies, Vrakas, Hines, Ladwig, Hahn, Stone, Ott, Kestell, Albers, Kreibich and F. Lasee; cosponsored by Senators S. Fitzgerald, Stepp and Schultz.

To committee on **Rules**.

COMMUNICATIONS

December 22, 2003

Mr. Patrick Fuller
Assembly Chief Clerk
208 Risser Justice Center

Dear Mr. Fuller:

I respectfully request that I be added as a co-sponsor to the following bill:

Representative Nass' **Assembly Bill 667**, relating to: allowing an individual income tax deduction for certain amounts contributed to any section 529 college tuition program.

Sincerely,
REPRESENTATIVE KARL VAN ROY

January 2, 2004

Patrick Fuller
Assembly Chief Clerk
Risser Justice Building

Dear Mr. Fuller:

I would like to have my name removed as a co-sponsor of **Assembly Bill 707**.

Thank you for your attention to this matter.

Sincerely,
DAVE HANSEN
State Senator

December 18, 2003

Speaker John Gard
State Capitol, 211 West
Madison, WI 53708

Dear Speaker Gard:

As a result of Representative Shirley Krug's appointment to the Joint Committee on Finance, I would like to have her replaced on two standing committees. I respectfully request the appointment of Representative Louis Molepske Jr. to the Education Committee and Representative Josh Zepnick to the Energy and Utilities Committee.

Thank you for your consideration of this request. Please feel free to contact me if you have any concerns or questions.

Sincerely,
JIM KREUSER
Assembly Democratic Leader

SPEAKER'S COMMUNICATIONS

December 23, 2003

Mr. Patrick Fuller
Chief Clerk, Wisconsin State Assembly
Room 208, Risser Justice Center
17 West Main Street
Madison, Wisconsin 53708

Dear Patrick:

As a result of Representative Shirley Krug's appointment to the Joint Committee on Finance, Representative Jim Kreuser has requested that she be replaced on two standing committees. He has requested that Representative Louis Molepske Jr. be appointed to the Assembly Committee on Education and that Representative Josh Zepnick be appointed to the Assembly Committee on Energy and Utilities to replace Representative Krug. I have granted this request and ask that they be appointed to the committees effective immediately.

Sincerely,
JOHN G. GARD
Speaker

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Ice Age Park and Trail Foundation
Madison

December 17, 2003

To the Honorable, the Assembly:

In 1999 the State Legislature included a \$75,000 annual grant in the state budget to be matched with \$25,000 of private funds for the purpose of establishing, maintaining and promoting the Ice Age National and State Scenic Trail. The Ice Age Park and Trail Foundation (IAPTF) has been delighted to be the recipient of that grant since 2000. It is with a great deal of pride that I submit our final report for the year 2003, as required by statute s. [23.925](#).

The Ice Age Park and Trail Foundation is a volunteer and member based organization whose mission is to create, support and protect the Ice Age Trail - designated a National Scenic Trail in 1980 and State Scenic Trail in 1987. The Trail is the *only* unit of the National Park Service and the *only*

National Scenic Trail that commemorates the effects of continental glaciation in the United States.

We genuinely appreciate your continuing support and your true partnership. Please call me at 608-663-1240 with any questions you may have.

Sincerely,
CHRISTINE THISTED
Executive Director

Referred to committee on **Tourism**.

State of Wisconsin
Department of Health and Family Services
Madison

December 18, 2003

To the Honorable, the Legislature:

Section 46.03 (26) of the statutes requires the Department of Health and Family Services to report annually on information systems projects under development. The attached report is a summary of the departmental systems currently under development.

Sincerely,
HELENE NELSON
Secretary

Referred to committee on **Health**.

State of Wisconsin
Department of Public Instruction
Madison

December 23, 2003

To the Honorable, the Legislature:

Enclosed is a copy of the "Legislative Report on Charter Schools" for the 2001-2002 school year, as required by sec. 115.28 (49), Wis. Stats. The report is submitted to you as required by sec. 13.172 (2), Wis. Stats.

Sincerely,
ELIZABETH BURMASTER
State Superintendent

Referred to committee on **Education Reform**.

State of Wisconsin
Department of Transportation
Madison

December 26, 2003

To the Honorable, the Legislature:

We are pleased to submit the results of our joint study evaluating the effectiveness of Ignition Interlock Devices (IIDs) and other vehicle sanctions including vehicle immobilization.

The Department of Transportation, Bureau of Transportation Safety, in conjunction with the Department of Health and Family Services, worked with representatives of law enforcement, the legal community, and alcohol assessment agencies to provide a comprehensive review of IIDs and vehicle immobilization.

The study involved extensive dialogue with legal professionals, law enforcement professionals and local, alcohol assessment agencies, and IID vendors; a review of existing literature, and an analysis including opinions on the use of IIDs and other vehicle sanctions. The final report includes the study findings regarding legal and technical aspects of IIDs and vehicle immobilization, their effectiveness, implementation and legislative considerations for Wisconsin.

Each study participant gave their time, commitment and expertise to the process, and they are to be commended. Thank you for providing the Wisconsin Department of Transportation and the Department of Health and Family Services with the opportunity to conduct this evaluation. Questions regarding the study should be directed to Tim McClain, Wisconsin Department of Transportation, Bureau of Transportation Safety at (608) 267-5136.

Sincerely,
FRANK J. BUSALACCHI
Secretary
Department of Transportation

HELENE NELSON
Secretary
Department of Health and Family Services

Referred to committee on **Highway Safety**.

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

December 19, 2003

To the Honorable, the Legislature:

We have completed a financial audit of WHA Radio, as requested by the University of Wisconsin-Extension to fulfill the audit requirements of the Corporation for Public Broadcasting. The Corporation requires audited financial statements of public broadcasting entities to determine future funding levels.

WHA Radio is licensed to the Board of Regents of the University of Wisconsin System and is operated by the University of Wisconsin-Extension. WHA Radio received \$8.9 million in revenues during fiscal year 2002-03, including state support, member contributions, funding from the Corporation for Public Broadcasting, and various other grants.

Our audit report contains the financial statements and related notes for fiscal years 2002-03 and 2001-02. We were able to

issue an unqualified independent auditor's report on these statements.

We appreciate the courtesy and cooperation extended to us by University of Wisconsin-Extension staff during the audit.

Respectfully submitted,
JANICE MUELLER
State Auditor

State of Wisconsin
Investment Board
Madison

December 22, 2003

To the Honorable, the Legislature:

Annually under s. [25.17 \(14g\)](#), Stats., the Investment Board submits a report to the Legislature on investment goals and long-term strategies. As we have done the past three years, I am writing to advise you that we plan to submit the report in February. Although this will be after the December 31 due

date, for the reasons noted below, it will enable us to provide a more complete and informative report to you.

The Board of Trustees will consider recommendations on investment strategies and asset allocations made by staff and outside experts at the January meeting. We believe it is helpful to reflect the outcome of those discussions in our report to you. In addition, we will include in the report the effect of the market's resurgence on the trust funds in 2003 and steps we have taken to earn the optimum returns during the volatile markets of the past few months.

The report we submit in February will also include the performance assessment required under s. [25.17 \(14m\)](#). As in past years, combining the two reports will make it easier to understand the relationship between our strategies and our investment results.

Please feel free to contact me if you have any questions or concerns.

Sincerely,
DAVID C. MILLS
Executive Director